

Initially submitted were claims 1 to 9, of which claims 1, 3, and 4 were independent. Now, claims 1 to 9 are canceled and new claims 10 to 22 are submitted, of which claims 10, 13, and 17 are independent.

Some of the rejections lodged in the 21 Feb. 2002 office action are now moot in view of the new claims. The applicants note that the response requests a change in the attorney docket number, an insertion of the statement of cross related applications, an addition to the specification of the definition of BET as suggested by the examiner.

The independent claims now call for claims now call for certain negative electrode compositions and/or various percentage weights of the materials. None of the limitations are taught or suggested by the now claimed inventions. The primary prior art reference, Miyasaka, does not fairly teach nor suggest the now claimed inventions.

The Nakajima reference (US Patent No. 6,337,158) is not prior art. It is noted that this reference has a US filing date after this application's JP foreign filing date. It is noted that the Nakajima reference is not entitled to its prior JP filing dates as under sections 102(e) and 119(a)-(d), section 119 does not modify section 102(e). To perfect this application's filing date, the applicants submit a machine translation of the JP priority document. A certified translation of the priority document can be made available if necessary. The applicants note that this machine translation, although not certified, generally mimics what an actual certified translation will be. The applicants note that the applicants' attorney has cut and pasted the machine translation into a form more suitable for reading. The Examiner may verify the attached copy by visiting the JPO web site as follows:

1. This is the URL for the search page:

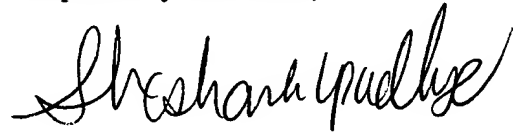
<http://www1.ipdl.jpo.go.jp/PA1/cgi-bin/PA1INDEX>

2. Click on the radio button for “Application Number” and in the first search field, type in “11-254589” (no commas, no “P” before the 11, make sure to use the “dash”) and then click on “Search”.
3. Your computer may ask if you want the Japanese character library to be installed. Clicking “yes” will install the Kanji or Hiragana-Katakana characters. Clicking “cancel” will not install the characters and the display will be English only.
4. At the hits/results page, click on the first entry. This is the English version.
5. At the Abstracts page, click on the orange icon “Detail” to generate the machine translation.

Conclusion

The applicant respectfully requests withdrawal of the rejections and believes that the claims as presented represent allowable subject matter. But if the Examiner desires, the applicant is ready for a telephone interview to expedite prosecution. As always, the Examiner is free to call the undersigned at 312-876-2622. The Examiner's attention is also drawn to the new correspondence address.

Respectfully submitted,



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